

DANIEL G. BOGDEN
United States Attorney
District of Nevada
NICHOLAS D. DICKINSON
Assistant United States Attorney
CHRISTOPHER J. MAIETTA
Trial Attorney
United States Department of Justice
Tax Division, Criminal Section
333 Las Vegas Boulevard South
Suite 5000
Las Vegas, Nevada 89101
702-388-6336

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,)	
)	2:15-cr-00102-KJD-PAL
Plaintiff,)	
)	STIPULATION AND CONSENT TO
vs.)	DISCLOSE UNREDACTED DISCOVERY
)	TO THE DEFENDANT AND DEFENSE
ROSHERRAL BEVERLY,)	COUNSEL
)	
Defendant.)	

STIPULATION

The United States and Defendant in this case, through her undersigned counsel, hereby enter into this stipulation and agree as follows:

1. The United States will produce to Defendant's counsel of record in this case discovery containing sensitive financial, personal, and tax information of third parties, which may include, but are not limited to, the following types of documents: (a) federal tax returns, (b) IRS transcripts of accounts, (c) IRS memoranda of interview, and (d) IRS reports and/or related spreadsheets. The production of such material is subject to the conditions set forth in the

1 following paragraphs, and the parties also understand and agree that the term “third party” means
2 any individual or entity other Defendant Rosherral Beverly.

3 2. Defendant and Defendant’s counsel of record shall not disclose any documents or
4 information produced by the United States in the discovery process of this case, including
5 documents and records that contain financial, personal, or tax information of any third party, to
6 anyone in this case, except to Defendant, defense witnesses, defense experts or investigators
7 retained in this case, or defense staff working on the case, absent further agreement by the
8 parties.

9 3. The documents and information provided in the discovery process, and as
10 referenced above, shall only be used to prepare and evaluate the defense in this case. The
11 materials provided to defense counsel pursuant to this stipulation, and any copies thereof, shall
12 be returned to the United States, unless otherwise agreed upon by the parties, or at the occurrence
13 of the last of the following events: (a) the completion of all appeals, (b) habeas corpus
14 proceedings or other post-conviction proceedings, (c) the conclusion of the sentencing hearing,
15 or (d) an earlier resolution of the charges against Defendant.

16 4. Defense counsel and staff, Defendant, defense witnesses, defense experts and
17 investigators in this case shall retain possession and/or custody of the documents and information
18 provided in discovery at all times.

19 5. Any documents provided in the discovery process of this case are being provided
20 pursuant federal statutes and federal rules, including Rule 16 of the Federal Rules of Criminal
21 Procedure. The disclosure of any “tax return” or “tax return information,” as defined pursuant to
22 Title 26 U.S.C. § 6103, by the United States is also authorized as set forth in Title 26 U.S.C.

§ 6103(h)(4)(D), which allows a prosecutor to produce “tax return” and “tax return information” when ordered to do so by a court to meet a prosecutor’s discovery obligations. Accordingly, the disclosure of “tax return” and “tax return information” is required for the United States to comply with its discovery obligations under Federal Rule of Criminal Procedure 16, the Jencks Act, and/or *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972). The disclosure of such tax material is authorized and agreed pursuant to this stipulation.

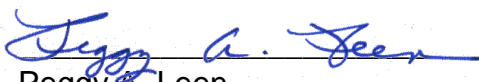
NICHOLAS D. DICKINSON
Assistant United States Attorney

/s/ Nicholas D. Dickinson
Dated: April 30, 2015

MARK B. BAILUS, ESQ.
Counsel for Defendant

/s/ Mark B. Bailus
Dated: April 30, 2015

IT IS SO ORDERED this 6th
day of May, 2015.


Peggy A. Leen
United States Magistrate Judge